

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DUWAYNE CAREY,)	
)	Civil Action No. 06 - 1578
Plaintiff,)	
)	Judge Terrence F. McVerry
v.)	Magistrate Judge Lisa Pupo Lenihan
)	
BARRY JOHNSON; LT. BIRKHIMER; and)	
ELEANOR WEAVER,)	
)	
Defendants.)	

MEMORANDUM ORDER

On November 27, 2006, the above captioned case was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

On September 12, 2007, Plaintiff filed a Motion for Temporary Restraining Order and/or Preliminary Injunction (doc. no. 23). On December 3, 2007, Magistrate Judge Lenihan issued a Report and Recommendation (doc. no. 26) recommending that the Motion for Temporary Restraining Order and/or Preliminary Injunction be denied. The parties were advised that they had ten days to file objections with the District Court. No objections have been filed.

After *de novo* review of the record in the case, the following order is entered:

AND NOW, this 8th day of January, 2008;

IT IS HEREBY ORDERED that the Motion for Temporary Restraining Order and/or Preliminary Injunction (doc. no. 23) is **DENIED**.

IT IS FURTHER ORDERED that the Report and Recommendation dated December 23, 2007 (doc. no. 26) is **ADOPTED** as the Opinion of the Court.

By the Court:

s/ Terrence F. McVerry
United States District Judge

cc: Lisa Pupo Lenihan
United States Magistrate Judge

Dwayne Carey
723 Penwood Avenue
Wilkinsburg, PA 15221